



# California Regional Water Quality Control Board San Diego Region



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April 5, 2010

Certified Mail – Return Receipt Requested  
Article Number: 7009 1410 0002 2347 2769

In reply refer to:  
745397:jebsen

Mr. Tony Heinrichs  
City of San Diego  
9370 Chesapeake Drive, Suite 100  
San Diego, CA 92123

Dear Mr. Heinrichs:

**SUBJECT: Amendment to 401 Water Quality Certification 09C-077 for the Tijuana River Valley Emergency Channel Maintenance Project**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the 401 Water Quality Certification for the Tijuana River Valley Emergency Channel Maintenance Project. This decision is based on the information provided in your February 19, 2010 submittal. This certification is to perform a one-time channel maintenance event and this amendment is necessary to change the final date for vegetation removal and project completion. The extended due date only allows for completion of the project within the 2009-2010 rainy season and does not allow for additional work under this certification during the 2010-2011 rainy season.

The San Diego Water Board is aware that the City has submitted a programmatic permit application for City-wide channel maintenance and intends to continue future channel maintenance as needed under that pending permit. Be advised that having a pending permit with the San Diego Water Board does not negate the need for permits on all future channel maintenance projects. To avoid any permitting delays the City should consider securing individual permits for its high priority channel maintenance projects for the 2010-2011 rainy season.

Changes/additions/deletions to section B (Project Conditions) of 401 Water Quality Certification 09C-077 are shown in bold strikeout/underline below:

- Removal of vegetation must occur by hand, mechanically, or using EPA approved herbicides deployed using applicable BMPs to prevent impacts to Beneficial Uses of waters of the State. Removal of vegetation must occur **outside of the avian nesting season (March 15 – August 31); no later than April 15, 2010.**

*California Environmental Protection Agency*

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.svrpcb.ca.gov>.*

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Tony Heinrichs  
City of San Diego  
401 Certification 09C-077

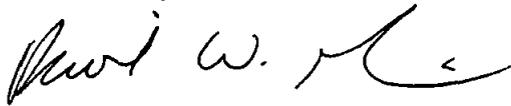
- 2 -

March 29, 2010

10. All of the one time, emergency actions must be **completed by April February 15, 2010.**

In the subject line of any response, please include the requested "**In reply refer to:**" information located in the heading of this letter. If you have any questions regarding this notification, please contact Ms. Jody Ebsen directly at 858-636-3146 or by email via [jebesen@waterboards.ca.gov](mailto:jebesen@waterboards.ca.gov).

Respectfully,



DAVID W. GIBSON  
Executive Officer

Mr. Terry Dean  
U.S. Army Corps of Engineers, Regulatory Branch  
San Diego Field Office  
6010 Hidden Valley Rd, Ste 105  
Carlsbad, California 92011

Cc via email:

State Water Resources Control Board, Division of Water Quality  
401 Water Quality Certification and Wetlands Unit  
[Stateboard401@waterboards.ca.gov](mailto:Stateboard401@waterboards.ca.gov)

U.S. Environmental Protection Agency, Region 9  
Wetlands Regulatory Office  
[R9-WTR8-Mailbox@epa.gov](mailto:R9-WTR8-Mailbox@epa.gov)

David Zoutendyk  
U.S. Department of the Interior  
Fish and Wildlife Service  
[david\\_zoutendyk@fws.gov](mailto:david_zoutendyk@fws.gov)

File No.	09C-077
WDID:	9 000001976
<i>CIWQS</i>	
Reg. Measure ID:	371693
Place ID:	745397
Party ID:	5020071

*California Environmental Protection Agency*

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>X</b></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Tony Heinrichs City of SAN DIEGO 9370 Chesapeake Dr. Ste 100 SAN DIEGO CA 92123</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7009 1410 0002 2347 2769</p>
<p>PS Form 3811, February 2004 <span style="margin-left: 200px;">Domestic Return Receipt</span> <span style="float: right;">102595-02-M-1540</span></p>	

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Sent To Tony Heinrichs, City of SAN DIEGO

Street, Apt. No., or PO Box No. 9370 Chesapeake Dr. Ste 100

City, State, ZIP+4 SAN DIEGO CA 92123

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